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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/629,200	07/31/2000	Sin-Mei Tsai	P3928	5556

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EXAMINER

REVAK, CHRISTOPHER A

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

81

Office Action Summary

Application No.

09/629,200

Applicant(s)

TSAI ET AL.

Examiner

Christopher A. Revak

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., unique identifiers of the separate data records) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

2. Applicant's arguments filed February 11, 2005 have been fully considered but they are not persuasive.

It is argued by the applicant that it is the data records themselves which have the unique identifiers, not complete tables containing data records as disclosed by Zollinger. Zollinger is not identifying data records of a table separately, as is claimed by the applicant, rather Zollinger uniquely identifies the tables stored on the server using version numbers and the tables of Zollinger are tables of data elements and it is the tables that are uniquely identified, not the separate data elements as is claimed by the applicant. The examiner respectfully disagrees. Zollinger discloses that the updates isolate only the information, or data records, that has changed over time based on comparison of the current copy of a database table versus a reference, or candidate, copy of the database table based on a version, or unique, identifier. Please see Zollinger, column 3, lines 31-42.

It is further argued that Zollinger teaches of an alternative invention for an alternative problem versus the applicant's invention is for reducing the amount of data sent between the client and server to reduce the impact of the available bandwidth for data transmissions. This is not necessarily true, first and foremost, the intent of the applicant's invention is not presently claimed and is not given patentable weight. Secondly, Zollinger does disclose of the same motivation for the applicant's invention in that the intent is so that updates isolate only the information that has changed over time so that a minimum amount of data may be sent to a client, or as one of ordinary skill in the art would interpret to mean that this reduces available bandwidth for data transmissions. Please see Zollinger, column 3, lines 40-43.

3. The applicant has overcome the objection to the specification by amendment and the examiner hereby withdraws the objection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1,2,5-11, and 14-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Zollinger et al, U.S. Patent 5,999,947.

As per claim 1, it is disclosed by Zollinger et al of a system for synchronizing data records between a (network data) server and a requesting client device (col. 2, lines 63-67, col. 3, lines 49-52, and col. 4, lines 28-33). It is recited of a client software application, an network server software application, and the client application maintains a (first) database table of version (unique) identifiers for data records stored at the client and sends a copy of the table with a request to a server for data from the server. The server maintains a (second) database table of version (unique) identifiers for candidate data records to be sent to the client (col. 3, lines 30-52). The examiner notes that the identifiers at the server and client are formed by a common process since the server can interpret the client's identifiers to determine if synchronization is needed (col. 3, lines 52-64). The server receives the request and first (database) table from the client, compares the two database tables, and then only sends the client those records as indicated by comparison as being new to the client and a notification of the database table updates (col. 3, lines 52-64).

As per claims 2 and 11, it is taught by Zollinger et al that the network is the Internet (col. 7, lines 55-67).

As per claims 5 and 14, Zollinger et al recites that client updates the (first) database table each time the client receives records and notifications of the table updates, and sends the updated table the next time data is requested (col. 2, lines 63-67 and col. 3, lines 47-67).

As per claims 6 and 15, Zollinger et al teaches of a requesting client device (handheld portable device) that is coupled to a server (host computer) from a hotel room

that is connected to the network and client software applications executes on the client (portable device)(col. 1, lines 55-59 and col. 5, lines 8-18).

As per claims 7 and 16, it is disclosed by Zollinger et al that the formation of the identifiers is accomplished at the server (host computer)(col. 3, lines 47-52 and col. 11, lines 50-64).

As per claim 8, Zollinger et al discloses of client devices requesting (based upon selection in a user display) updates based upon version (unique) identifiers corresponding to a database table (col. 3, lines 30-52). It is implied that an application program interface (API) is used since they are a set of routines used by an application program, which in light of the teachings of Zollinger et al is the software process for synchronizing database records, to direct the execution of routines by the client's operating system.

As per claim 9, Zollinger et al discloses of a method for synchronizing data records between a (network data) server and a requesting client device (col. 2, lines 63-67, col. 3, lines 49-52, and col. 14, lines 55-58). It is recited of a maintaining a (first) database table of version (unique) identifiers for data records stored at the client and sends a copy of the table to a server with a request for data from the server. The server maintains a (second) database table of version (unique) identifiers for candidate data records to be sent to the client (col. 3, lines 30-52). The examiner notes that the identifiers at the server and client are formed by a common process since the server can interpret the client's identifiers to determine if synchronization is needed (col. 3, lines 52-64). The server receives the request and first (database) table from the client,

compares the two database tables, and then only sends the client those records as indicated by comparison as being new to the client and a notification of the database table updates (col. 3, lines 52-64).

As per claim 10, it is taught by Zollinger et al of sending a notification of the differences in the tables to the client (col. 3, lines 59-64).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3,4,12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zollinger et al, U.S. Patent 5,999,947 in view of Wu, U.S. Patent 6,463,427.

The teachings of Zollinger et al are relied upon for the disclosure of updating database records based on an identifier (col. 3, lines 30-52). The teachings of Zollinger et al are silent in disclosing that the identifier is created using a cyclic redundancy check (CRC) function wherein it is computed from the header and body portions of data records. It is disclosed by Wu a CRC process that is computed as a function of an object (including header and body portions of data records) that is used to synchronize data records (col. 2, lines 18-35). It would have been obvious to a person of ordinary skill to have been motivated to apply the use of CRCs as a form of identifiers to assist in

synchronizing data records. Wu recites motivation for the use of CRCs by disclosing long term IDs vary from object to object and searching for changes during synchronization can be slow in the prior art, so the CRC is a function of the object (data record) which is faster in the synchronization process (col. 2, lines 13-15 and col. 7, lines 57-64). It is obvious that the teachings of Zollinger et al would have found the disclosure of Wu beneficial as a means of increasing the speed of synchronizations for updating data records.

Conclusion


8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CR

April 27, 2005

Christopher Revak
AU 2131


4/27/05